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CRIME AND PUNISHMENT

681 626 LAW and the administration of justice among the Barama Caribs are confusing to the civilized mind because, generally speaking, they lack explicitness. As is the case with many primitive groups, therefore, it is necessary to study behavior and attitudes under this head from the functional point of view. Thus broadly considered, law is simply that body of opinion within a group which regulates the behavior of the members of the group. The law performs this function in a twofold manner. First, it defines those actions which are considered offensive to the group as a whole or to individual members thereof. Second, it provides punishments for such offensive actions. The administration of justice, on the other hand, as distinguished from the body of the law itself, we may say has the following functions: first, determining whether or not an offense has been committed; second, fixing responsibility of guilt; third, designating the manner of carrying out the proper punishment or retribution and naming the agents, agencies, or assisting parties, if any, involved. These, I believe, are functions which we may ascribe to law and justice in all cultures. They are functions which lie at the basis of group life and are implied in the continued existence of any organized group of human beings who are living together in society. Without the performance of such functions in one guise or another, the group speedily disintegrates under the disrupting strain of endless unresolved disputes. Such functions are not, however, always obvious; they may be performed formally or informally, publicly or privately, by group or by individual action.

671 Among the Caribs, the publicized, formal aspects of the performance of the legal and judicial functions are minimized.[1] There is in this society no formal enactment of rules of conduct, either by decree or by legislation, there is no constituted legislative

[1] "There was apparently no such thing as public punishment, except perhaps in the case of adultery among the Orinoco Carib, where the whole village populace dealt with the guilty parties. Certainly of the island Carib it is said they know not what it is to punish publicly, or to observe any form in the execution of justice; nay, they have no word in their language to signify justice or judgment." Roth, 1924, *An Introductory Study of the Arts, Crafts, and Customs*, p. 557.

"La Justice, chez les Caribes, n'est point exercee par le Capitaine, ni par aucun Magistrat: Mais tout de meme que parmy les Toupinambous, celuy que se tient offensé entr'eus, tire de son adversaire telle satisfaction que bon luy semble, selon que la passion le luy dicte & que sa force le luy permet. Le public ne s'interesse point dans la recherche des crimes." de Rochefort, 1658, *Histoire naturelle et morale des Iles Antilles de l'Amerique*, p. 467.

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671 free will, that is "with intent," the origin of the cause can be reached and compensation extracted.

•681 To obtain satisfaction from one who has committed an offense against him, a man may have recourse to one or more of the following media of action: (1) poisoning, (2) sorcery, (3) violence, (4) kanaima. And the group may resort to (5) violence, (6) ostracism and (7) exile to rid itself of an undesirable member. The first four types of punishment may be called private, the last three public. Again, private violence and all group methods are overt, whereas poisoning, sorcery, and kanaima are secret.

278 Poison may be administered either in food or drink. The most common practise is said to be to insert some of the poison in the cassiri or paiwari when the drink is handed to the intended victim during one of the periodic drinking bouts or sprees. The liquor is passed to guests at a drinking bout in calabashes, and the approved technique of poisoning consists of placing some of the poisonous material under one of the finger nails, which in the act of passing the calabash is allowed to slip into the liquor.[1]

Varieties of poison are as follows:

(a) The most dangerous poison is said to be the ashes of the bloody apron (wawrish shamisharu tupuru) worn by a menstruating woman. This poison will cause the victim to vomit blood.

(b) The poisoner's finger nail, scraped fine and put in the drink, is regarded as a deadly poison for all persons except the administrator.

(c) Bottle glass pounded fine is a reliable method and is said, with good reason, to be the quickest of the poisons.

(d) The bones of any snake, burned or dried and subsequently powdered, are regarded as poisonous.

(e) Paito, a small fish which when burned gives a supposedly poisonous ash, is also administered in drink.

As might perhaps be expected, an antidote may be used for all of the above poisons with the exception of c. A tea is brewed from the leaf of a certain tree (muritchawa), which when imbibed causes vomiting. This brew must be made in secret in the afternoon, put out in the evening dew to cool, and must be drunk before retiring and immediately upon rising, so that vomiting takes place twice.

[1] This technique in poisoning is reported from several other Guiana tribes. See Roth, 1924, *An Introductory Study of the Arts, Crafts, and Customs*, pp. 562–564.

794 If you wish to become a kanaima, you establish contact with a kanaima headman, who can usually be found hiding about in the bush. He teaches you the art. During the novitiate you sleep at home, but spend your days in the bush with your teacher. You are taught to enter houses without being seen, to twist joints and manipulate bones, to benumb the senses of your victim, and so on. One of the disagreeable features of the cult is that the members find the habit of evil doing difficult to break, so that after accomplishing the original purpose of revenge, the kanaima continues to practice his outrages on innocent victims. For this reason, kanaimas are feared and may be killed on sight by all normal persons. [691]

794 824 Kanaimas lead an abstinent life. They eat no meat, with the exception of the djokoro (dukwaru) bird, which, because it is not easily seen in nature, is believed to make them invisible. Other meat is believed to make them heavy footed. They eat a pimpler palm called kosako because doing so causes the kanaima's victim to have the sensation of being choked and pricked. They eat rupe, a white fungus which grows on dry wood, because it makes them light so that they can run fast. They drink only rain water which has collected in the hollows of leaves; creek water is not imbibed because it is running too strongly and makes the kanaima lose control of himself too easily, while the rain water is clear and makes him clear headed. At night they rub their skins with pepper, instead of building fires to keep them warm. As a result of these austerities, it is said that no animal will eat the body of a kanaima, the flesh being too rank.

794 754 [824] It is believed that kanaimas roam about the bush waiting for an opportunity to waylay a victim. Across the trail they stretch a spider web on which is rubbed the juice of a plant called kuraru. When the victim touches the web, he falls as in a trance, whereupon the kanaimas leap upon him, twist his joints, and stretch his tendons. They also carry a black powder made from the dried powdered root of a plant called masi. This powder, put in the mouth of the victim, makes him cough and sneeze and get a cold. If it is swallowed, the viscera decay. Victims usually do not remember enough of their experiences to talk about it afterward, but to prevent any possibility of betrayal, the kanaima may pierce the tongue of the victim with a snake's fang which he